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VIA CM/ECF

September 25, 2025

Mr. Clifton Cislak
U.S. Court of Appeals for the
District of Columbia Circuit
333 Constitution Avenue, N.W.
Room 5205
Washington, D.C. 20001

RE: *National Treasury Employees Union v. Trump*, No. 25-5157 (D.C. Cir.)
(argument not yet scheduled)

Dear Mr. Cislak:

I write to inform the Court of a development relevant to plaintiff's pending motion for a 45-day stay of briefing in the above-captioned appeal.

As the government explained in its opening brief, there is a related case pending before this Court involving a preliminary injunction of the same executive order at issue in this case. *See American Foreign Service Ass'n (AFSA) v. Trump*, No. 25-5184 (D.C. Cir.). This case and *AFSA* are also pending before the same district judge, Judge Friedman. *See AFSA v. Trump*, No. 25-cv-1030 (D.D.C.). And plaintiff in *AFSA* has, like plaintiff here, moved for a stay of briefing in the preliminary-injunction appeal. On September 23, however, the district court instead stayed dispositive-motion briefing in *AFSA*, pending a decision from this Court in the preliminary-injunction appeal. Minute Order, *AFSA* (D.D.C. Sept. 23, 2025).

The district court's stay order in *AFSA* indicates that a final judgment is not imminent in that case and that the district court would find it valuable to have this Court's guidance before ruling on dispositive motions. The district-court order in

AFSA also counsels against granting plaintiff's motion to stay briefing in the present appeal. First, if the district court takes the same course in *AFSA* and this case, it will wait for a ruling from this Court before issuing a final judgment in the present case. Contrary to plaintiff's assertion, then, this appeal would not imminently become moot. Second, it is now clear that the district court believes it would be valuable to have this Court's guidance before it resolves dispositive motions. Proceeding with the present appeal would promote judicial economy by ensuring that the district court has the benefit of this Court's views before it issues a final judgment.

Plaintiff's motion to temporarily stay briefing in this appeal should be denied.

Sincerely,

s/ Joshua M. Koppel

Joshua M. Koppel
Attorney, Appellate Staff

cc: counsel (via CM/ECF)